

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

CLIFFORD JAMES SCHUETT,

Defendant.

No. 2:10-cr-118-RLH-RJJ

ORDER

(Motion for Injunction—#87)

(Motion for Injunction—#89)

(Motion to Proceed Pro Se—#99)

Before the Court are the following pro se motions: **Motion for a Court Order and an Injunction Against the Government to Destroy or Donate Petitioner’s Property** (#87, filed June 11, 2013); **Motion for a Court Order and Injunction Against Petitioner over Being Further Injured at CCA Pahrump or Being Kept in the Marshal’s Custody** (#89, filed June 18, 2013); and **Motion to Proceed without Counsel as Pro Per** (#99, filed June 24, 2013).

Local Rule LR IA 10-6(a) states, “A party who has appeared by attorney cannot while so represented appear or act in the case.” Defendant has, and has had, counsel at all times relevant. Accordingly, the Motion for a Court Order and an Injunction Against the Government to Destroy or Donate Petitioner’s Property (#87, filed June 11, 2013); and Motion for a Court Order and Injunction Against Petitioner over Being Further Injured at CCA Pahrump or Being Kept in the Marshal’s Custody (#89) must be denied.

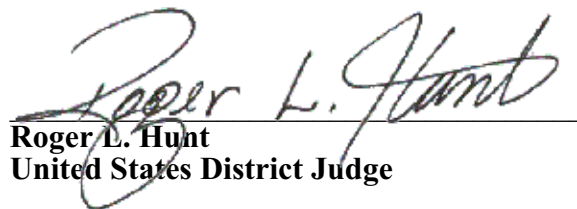
Moreover, both motions either address issues outside the Court’s ability to act, or have previously been considered and denied.

1 The Court will address the Motion to Proceed without Counsel as Pro Per (#99)
2 inasmuch as it addresses Defendant's desire to not have counsel, but to act for himself. That Motion
3 will also be denied. In the Motion, Schuett admits that he "has no nollege [sic] of law or Court Rules,
4 . . . is not a lawyer, no training, no schooling." (Page 2 of 5, of Motion). His lack of the ability to
5 represent himself is more than amply demonstrated by the many spurious and meritless motions he
6 has filed and letters he has written to the Court. Accordingly, the Court finds that he is in dire need of
7 an attorney and lacks the ability to understand or address the legal issues necessary.

8 There is another motion, seeking dismissal of his notice of appeal (#100), which is
9 being addressed by the Circuit Court and will not be addressed here.

10 IT IS THEREFORE ORDERED that Defendant's **Motion for a Court Order and an**
11 **Injunction Against the Government to Destroy or Donate Petitioner's Property (#87); Motion**
12 **for a Court Order and Injunction Against Petitioner over Being Further Injured at CCA**
13 **Pahrump or Being Kept in the Marshal's Custody (#89); and Motion to Proceed without**
14 **Counsel as Pro Per (#99)** are each DENIED, for the reasons stated above.

15 Dated: July 9, 2013.

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18 **Roger L. Hunt**
19 **United States District Judge**
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